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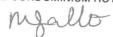
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LEACH KERN GRUCHOW SONG

NEVADA COMMISSION FOR COMMON INTEREST COMMUNITIES AND CONDOMINIUM HOTELS



2023-384

BEFORE THE COMMISSION FOR COMMON-INTEREST COMMUNITIES AND CONDOMINIUM HOTELS STATE OF NEVADA

Case No.:

SHARATH CHANDRA, Administrator, REAL ESTATE DIVISION, DEPARTMENT OF BUSINESS AND INDUSTRY, STATE

Petitioner,

MANTOVA COMMUNITY ASSOCIATION, CHARLES WRIGHT, PAMELIA LOWRY, and TRICIA YOST, (Entity Number C18509-2002)

Respondents.

SUPPLEMENT TO ANSWER TO COMPLAINT FOR DISCIPLINARY ACTION AND STATUS REPORT FOR COMMISSION HEARING **DECEMBER 3-5, 2024**

The Respondents, MANTOVA COMMUNITY ASSOCIATION, CHARLES WRIGHT, PAMELIA LOWRY, and TRICIA YOST (collectively "Respondents"), hereby submit this Supplemental to Answer to the Complaint for Disciplinary Action and Status Report for the Commission Hearing scheduled for December 3-5, 2024.

VIOLATIONS OF LAW

Performance of the Reserve Study. Respondents have performed the required 1. Reserve Study. On December 6, 2023, Complex Solutions, Ltd., prepared the Mantova Community Association Level 2 Reserve Study (the "Reserve Study"). A copy of the Reserve 1

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Study is attached hereto as Exhibit "A." The Reserve Study, and the calculations set forth therein, including the scheduled reserve expenditures were used to prepare the funding plan that was submitted to the Commission as Exhibit "3" to the Answer to the Complaint for Disciplinary Action (the "Answer"). While the Reserve Study was not obtained in a timely manner, the Association is currently in compliance with NRS 116.31152(1)(a).

- Filing Form 609. Respondents acknowledge they have submitted a Reserve Study 2. Form (Form 609) to the Division. On January 27, 2024, Charles Wright, the President of the Association, signed Form 609, which was submitted to the Division. A copy of the Form 609 signed by Mr. Wright is attached as Exhibit "2" to the Answer.
- Underfunding of Reserve Account/Funding Plan. As more fully set forth in the 3. Answer, the Association has adopted a funding plan that covers 2024-2028. A copy of the funding plan is attached as Exhibit "3" to the Answer. The funding plan projected that as of December 31, 2024, the balance in the reserve account would be \$994,993.00. However, as of November 18, 2024, the Association's bank records reflect a balance in the reserve account of \$1,170,649.68. A copy of the relevant record is attached hereto as Exhibit "B." The reserve balance is due largely to the Special Reserve Assessment ("SRA") that was implemented on January 27, 2023. The SRA required each owner to make a \$7,000 payment on or before March 31, 2024, with monthly payments due thereafter at the rate of \$321.00 per month through December 31, 2025. Attached hereto as Exhibit "C" is a delinquency report reflecting that the total amount of the delinquencies related to the SRA is \$62,420.00. The Board is working with the owners and its collection company to recover the delinquencies. Based on the foregoing, the Respondents assert that as of the date of the continued Commission hearing, the Association is in compliance with its proposed funding plan.
- Visa Gift Cards. At the original hearing, the Respondents provided the Commission with documentation confirming that the Association had purchased gift cards totaling \$1,200.00. The gift cards were used to purchase maintenance supplies needed to complete the projects that were in progress. The Respondents also provided receipts verifying the expenditure of \$1,070.71 for the stated purpose. The Respondents were unable to locate the

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receipts for the remaining \$129.29. Attached hereto as Exhibit "D" are the Affidavits of Pamelia Lowry and Charles Wright, members of the Board when the gift cards were purchased stating with certainty that the Visa gift cards purchased by the Association between January 9, 2021, and April 10, 2021, were used solely to acquire maintenance supplies needed to complete projects within the Association.

In summary, the Association believes that if the Commission accepts this funding plan, the Association will be in compliance with NRS 116.3115(2).

Based on the foregoing, the Respondents respectfully requests that the Commission not impose monetary sanctions on the Respondents.

DATED this 2 day of November, 2024.

LEACH KERN GRUCHOW SONG

By: JOHN E. LEACH, ESQ.

RYAN D. HASTINGS, ESQ.

2525 Box Canyon Drive Las Vegas, Nevada 89128

Attorneys for Respondent

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CERTIFICATE OF SERVICE

- 1	1							
2	Pursuant to NRCP 5(b), the undersigned, an employee of LEACH KERN GRUCHOW							
3	SONG, hereby certified that on the 21st day of November, 2024, she served a true and correct							
4	copy of the foregoing, STATUS REPORT, by:							
5	Depositing for mailing, in a sealed envelope, U.S. postage prepaid, at Las Vegas,							
6		Nevada						
7		Personal Delivery						
8	a 	Facsimile						
9	Federal Express/Airborne Express/Other Overnight Delivery							
10		Las Vegas Messenger Service						
11	X_	Electronic Service – via E-mail						
12	addressed as follows:							
13	Aaron D. Ford, Esq. Attorney General Phil W. Su, Esq. Senior Deputy Attorney General 1 State of Nevada Way, #100 Las Vegas, NV 89119		Maria Gallo, Commission Coordinator Common-Interest Communities and Condominium Hotels 3300 W. Sahara Avenue, Suite 350 Las Vegas, NV 89102 Via Email: mgallo@red.nv.gov					
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19	/s/ Merlin Calimpong An employee of LEACH KERN GRU						GRUCHOW	
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